

Appl. No. 09/755,978
Amdt. dated September 15, 2004
Reply to Office Action of June 25, 2003

REMARKS/ARGUMENTS

In the office Action claims 1-6 and 11 were rejected under 35 USC 103 as unpatentable over Mitsui US 5,618,068 in view of Dowling US 5,893,593 on the grounds set forth in the Office Action.

Claims 7-9 were rejected as unpatentable over Mitsui US 5,618,068 in view of Dowling US 5,893,593, and further in view of Jyawook US 6,256,932, and further in view of case law for the reasons stated in the Office Action.

Claim 10 was rejected as unpatentable over Mitsui US 5,618,068 in view of Dowling US 5,893,593, and further in view of Jyawook US 6,256,932, and further in view of Pastva US 3,857,594, and further in view of case law on the grounds set forth in the Office Action.

The following argument is presented is to overcome the foregoing rejections, and to show the presence of patentable subject matter in the claims.

As may be seen from the cited art of Mitsui and Dowling, a complex mechanical structure connects the outside operating means with its outside handle, and also the inside operating means with its inside handle, to the latching device and to the door lock (Dowling), with Mitsui showing such complex connection to the

door lock. This is consistent with the description provided in the bottom paragraph in page 1 of the present specification. With respect to such connection in the prior art, use is made of a series of cables, levers, and pins, by way of example. The second paragraph on page 2 of the present specification points out a disadvantage of the complex interconnection.

The solution toward overcoming the foregoing disadvantage is disclosed on page 5 at lines 32-36 wherein direct connection, such as by a cable, is made between door handle to door lock and, wherein, as disclosed on page 2 at lines 20-25, driver elements are placed on the cables to enable the cables to engage with a driven element (pivotting lever) that drives the latching device.

The claims (independent claims 1, 9, 11) have been amended to emphasize this feature of construction by stating that a connecting element extends from a door operating means to the door lock and, furthermore, that the connecting element engages with the driven element. It is urged that this feature, as now clearly set forth in the claims, is not taught by the cited art. Also, the cited art, considered individually or in combination, provides no motivation to replace a complex series of mechanical elements with an elongated connective element, such as a Bowden cable, extending from handle to lock, and having a driver element to push against a rocker arm (the driven element) for movement of a further cable to release a locking device that holds a door open.

According, this amendment and argument are believed to overcome the grounds of rejection as to obtain allowable subject matter.

In the event there are further issues remaining the Examiner is respectfully requested to telephone attorney to reach agreement to expedite issuance of this application.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Since the present claims set forth the present invention patentably and distinctly, and are believed to be distinguishable over the art either taken alone or in combination, this amendment is believed to place this case in condition for allowance and the Examiner is respectfully requested to reconsider the matter, enter this amendment, and to allow all of the claims in this case.

Respectfully submitted,
Martin Roos

by: _____

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the accompanying Amendment Upon Final Rejection is being facsimile transmitted to the Patent Office on September 15, 2004.

Signed by Martin A. Farber

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